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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

PAPER NUMBER

2161

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/021,521

Applicant(s)

MAZE ET AL.

Examiner

Etienne P LeRoux

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

AT

### *Claims Status*

Claims 1-20 are pending. Claims 1-20 are rejected as detailed below.

### *Specification*

The specification is objected to because the section Brief Summary of the Invention has been omitted. Correction per the following is required

Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Art Unit: 2161

Claim 1 recites “at least one searchable summary table, wherein the summary table [ ..... ] is related to the authority table and the user taxonomy table.” The specification does not contain a full, clear and concise description of the process of relating the authority table to the taxonomy table such that a skilled artisan can make and use the present invention. Claim 12 includes language similar to the above and is rejected on the same basis.

Claims 2-11 and 13-20 are rejected, at least, for being dependent from a rejected base claim.

#### ***Art Rejection Precluded***

Claims 12-14 and 16-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. No detailed art rejection of above claims is included in this Office Action. Further, regarding the rejection of above claims, examiner notes applicant’s response of February 1, 2005 in which applicant states that the elements of above claims are well-known and expected in the art and would have been obvious to the ordinarily skilled artisan. Examiner argues that even if the rejection under 35 U.S.C. 112 first paragraph is not considered, Official Notice is taken that the elements of above claims by applicant’s own admission are well-known and expected in the art .

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2161

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 4-11 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,640,224 issued to Chakrabarti (hereafter Chakrabarti), as best examiner is able to ascertain.

Claim 1:

Chakrabarti discloses:

- a. a server [inherent in WWW 14, Fig 1] comprising a searchable authority table [tables 22, Fig 1];
- b. a data communications device [Internet 16, Fig 1] operatively in communication with the server;
- c. a user computer [Fig 1, 12] operatively in communication with the data communications device, the user computer having access to the searchable authority table, the user computer further comprising:
  - i. at least one user definable taxonomy table, wherein the taxonomy table: (1) is accessible to the user computer; and (2) is manipulatable by a user with adequate access permission to manipulate the user taxonomy table [taxonomy table, Fig 2, step 36]; and
  - ii. at least one searchable summary table [document test table, col 4, lines 54-65, Fig 2 step 36] wherein the summary table: (1) is accessible to the user computer; (2) is related to the authority table and the user taxonomy table; and (3) is manageable by a user with adequate access permission to manage the summary table;

Art Unit: 2161

d. software [inherent in web site Fig 1, 14] executable in the server to provide access to and management of the authority table;

e. software executable [classification module 26, Fig 1] in the user computer to provide access to and manipulation of the taxonomy table and the summary table.

Claim 4:

Chakrabarti discloses wherein the user computer has access to a plurality of searchable raw data via the data communications device [col 3, lines 39-43].

Claim 5:

Chakrabarti discloses wherein the authority table comprises descriptions of at least one of legal data, medical data, educational data, manufacturing data, scientific data, repair data, audiovisual data, and entertainment data [col 3, lines 39-43].

Claim 6:

Chakrabarti discloses wherein the server further comprises a database comprising the authority table [Fig 1, 18].

Claim 7:

Chakrabarti discloses a data network accessible to the server and the user computer via the data communications device; and b. query software executing at least partially in the server; c. whereby computers with access to the data network may be allowed to access predetermined portions of the authority table [col 3, lines 28-43].

Claims 8 and 10:

Chakrabarti discloses the Internet [Fig 1, 16].

Art Unit: 2161

Claim 9:

Chakrabarti discloses the data network comprises the Internet; b. the user computer uses Internet browsing software executable at the user computer to access the predetermined portions of the database; and c. the server is an Internet service provider; d. wherein the user computer further has access to a plurality of searchable raw data via the Internet [col 3, lines 28-57]

Claim 11:

Chakrabarti discloses a user interface to the system comprising at least one of an HTML user interface, a non-database language user interface, and a database language interface [col 3, lines 28-43]

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2161

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chakrabarti in view of US Pat No 5,442,691 issued to Price et al (hereafter Price), as best examiner is able to ascertain.

Claim 2:

Chakrabarti discloses the elements of claim 1 as noted above.

Chakrabarti fails to disclose wherein manipulation of the taxonomy table comprises creating, modifying, associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table. Price discloses associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table [claim 1]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chakrabarti to include associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table as taught by Price for the purpose of providing a call control table for storing call control information for a specific call type being separated into different categories [claim 1]. The ordinarily skilled artisan would have been motivated to improve the invention of Chakrabarti per the above such that the call control table provides a means of routing calls between nodes in a switched digital network [claim 1].

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chakrabarti.

Claim 3:

Chakrabarti discloses the elements of claim 1 as noted above.

Art Unit: 2161

Chakrabarti fails to disclose wherein management of the summarization table comprises creating, modifying, and deleting elements of the summary table. Official Notice is taken that management of a table comprising creating, modifying, and deleting elements of the table is well-known and expected in the art since a user uses a summary table to store results obtained from a data gathering step. The ordinarily skilled artisan would have been motivated to improve the invention of Chakrabarti per the above such that the table can be created, modified and deleted to incorporate changes in the data. Furthermore, Chakrabarti discloses associating elements of the summary table with at least one element of the user taxonomy table [document test table, col 4, lines 54-65, Fig 2 step 36].

### *Response to Arguments*

Applicant's arguments filed 2/1/2005 have been fully considered but they are not persuasive.

#### **Applicant Argues:**

Applicant states in the first paragraph of page 6 "Innumerable patent have been allowed without summaries.

#### **Examiner Responds:**

Examiner is not persuaded. As provided in 37 C.F.R. 1.77(b) the specification of a utility application should include a Brief Summary of the Invention. Examiner is not persuaded that an exception should be made for instant application.

#### **Applicant Argues:**

Art Unit: 2161

Applicant states in the second paragraph of page 9 “Persons of ordinary skill in these arts will recognize “related” as a term of art. Relational databases are old art. Tables comprise records which comprise columns/fields and rows/records. Tables may be related to other tables through fields. One of ordinary skill in the art would readily and rapidly understand that these tables – summary, authority, and taxonomy – may be related by one or more common fields. Fig.2 indicates exemplary relations between tables. Additionally, the specification describes one such exemplary relation [0028]: In the preferred embodiment, each entry in each authority table 22a, described herein an authority will have unique identifier such as a primary key value. Key values are index values used to set relationships between tables.”

**Examiner Responds:**

Examiner is not persuaded. The above description by applicant of tables which comprise columns and rows does not even begin to address the relationship between the summary table and the taxonomy table and the relationship between the summary table and the authority table. Furthermore, applicant’s specification is confusing because paragraph 39 includes one summary table 12a with associated table software object 310a while Figure 2 shows that the summary table is 12b and the software object is 310b.

Furthermore, the purpose of the summary table is confusing because paragraph 42 of the specification includes “User summary table 12b may be part of user portion 300 and contains an element for each item of information the user desires to link to at least one element in user taxonomy table 12a. In the currently preferred embodiment, each element in user summary table 12b, sometimes referred to herein as a summary, must be linked to at least one element in user taxonomy 12a as well as to a single element in authority table 22a in backend portion 200.” The

Art Unit: 2161

purpose of the summary table 12b is not obvious to one of ordinary skill in the art because it summarizes nothing because there is a direct link between each element of the taxonomy table 12 and each element of the summary table 12b and similarly a link between each element of the summary table 12b and the authority table 22a. Based on applicant's disclosure in Figure 2 and paragraphs 39-42 of the specification, one of ordinary skill in the art would not be able to make and use the invention because the process of making a summary table is not disclosed in the specification.

**Applicant Argues:**

Applicant states in the last paragraph on page 7 "With all due respects, the four and one-half pages of 35 U.S.C. § 112 ¶ 1 rejections asserting a lack in the specification of a full, clear, and concise description of the patent examiner's recited terms unnecessarily burden this response. Respectfully, almost every one of the objections, as traversed below, is groundless in view of one of ordinary skill in the software arts, especially one of ordinary skill in the arts."

**Examiner Responds:**

Examiner takes Official Notice that the elements of the invention would have been well-known and expected in the art and would have been obvious to one of ordinary skill in the art at the time the invention was made based on above admission by applicant. However, examiner is not persuaded by applicant's statement that "almost every one of the objections [ ..... ] is groundless in view of one of ordinary skill in the software arts" because being skilled in the software arts would not enable one of ordinary skill to be able to ascertain the relationship between a taxonomy table, a authority table and a summary table as claimed in claim 1. Examiner maintains that one of ordinary skill in the art would be unsure how the searchable

Art Unit: 2161

summary table is related to the authority table and the taxonomy table. The rejection of above combination of elements under the first paragraph of 35 U.S.C. § 112 is maintained in supra Office Action.

**Applicant Argues:**

Applicant states in the second paragraph of page 10 “The language of claim 12 is clear to one of ordinary skill in these arts: it means a category that the user thinks appropriate.”

**Examiner Responds:**

Examiner is not persuaded. One of ordinary skill in the art would not be able to make and use the invention because one of ordinary skill in the art would not be able to determine what applicant “thinks” is appropriate.

**Applicant Argues:**

Applicant in the first paragraph of page 11 discusses the term “parsing” and the term “keyword.”

**Examiner Responds:**

Examiner is not persuaded. Examiner maintains that one of ordinary skill in the art would not be able to make and use the invention because applicant’s disclosure does not describe in clear and concise terms how to generate keywords by parsing raw data.

**Applicant Argues:**

Applicant includes in the third paragraph of page 11 “Claim 14 requires parsing the summarization prior to storing the summarization in the summary table and then, using the parsed summarization, generating keywords. These keywords may then be used during a search,

Art Unit: 2161

e.g. they can be indexed and an indexed search employed. This would have been clear to one of ordinary skill in these arts in 2001.

**Examiner Responds:**

Examiner is not persuaded. Examiner maintains that one of ordinary skill in the art would not be able to make and use the invention because explaining how keywords may be used during a search does not describe in clear and concise terms how keywords are generated from parsed summarization in the summary table.

**Applicant Argues:**

Applicant states in the second paragraph of page 12 “The patent examiner states that receiving keywords associated with the new raw data at the user computer in claim 16 is unclear. Applicants respectfully traverse.”

**Examiner Responds:**

Examiner is not persuaded. Applicant’s response is with reference to receiving keywords from the authority table and not with reference to receiving keywords associated with new raw data.

**Applicant Argues:**

Applicant states in the paragraph joining pages 12 and 13 “The patent examiner states the processing the user taxonomy table for keywords associated with each of those predetermined elements of the user taxonomy table in claim 16 is unclear because the method of obtaining keywords from a table is unclear. Applicants respectfully traverse.

**Examiner Responds:**

Art Unit: 2161

Examiner is not persuaded. Applicant discusses the meaning of table and obtaining. The relevance of applicant's response to above limitation is difficult to ascertain.

**Applicant Argues:**

In the third paragraph of page 13 applicant repeats above limitation and repeats the same arguments regarding "table" and "obtaining."

**Examiner Responds:**

Applicant is referred to above response by examiner.

**Applicant Argues:**

Applicant states in the fifth paragraph of page 13 "The patent examiner states that the phrase examining the keywords associated with each of the predetermined elements of the user taxonomy table against the keywords received associated with the new raw data in claim 16 is unclear. Applicants respectfully traverse."

**Examiner Responds:**

Examiner is not persuaded. Applicant discusses the meaning of examine and then refers to the teaching of Chakrabarti. Applicant is required to provide support in the specification of the present application such that one of ordinary skill in the art is able to make and use the invention without having to point to prior art cited by the examiner.

**Applicant Argues:**

Applicant states in the second paragraph of page 14 "The patent examiner states that the phrase generating a relevance factor for the new raw data based on the examination in claim 16 is unclear. Applicants respectfully traverse."

**Examiner Responds:**

Art Unit: 2161

Examiner is not persuaded. Applicant discusses the meaning of factor and also discusses a threshold value. The relevance of applicant's argument relevant to the above claim limitation is difficult to ascertain.

**Applicant Argues:**

Applicant states in the last paragraph on page 14 "The patent examiner states that the phrase suggesting the new raw data to the user as relevant for each of the predetermined elements of the user taxonomy table where the relevance factor is at a predetermined threshold level is each of the predetermined elements of the user taxonomy table in claim 16 is unclear. Applicants respectfully traverse."

**Examiner Responds:**

Examiner is not persuaded. Applicant incorrectly references paragraph 61 and Figure 2 of the specification of the present invention. Furthermore, applicant fails to discuss the relevance of new raw data to the data in the taxonomy table with respect to a relevance factor and a threshold level per the limitation of claim 16.

**Applicant Argues:**

Applicant states in the second paragraph of page 16 "The patent examiner states that the phrase analyzing the query for keywords in claim 17 is unclear. Applicants respectfully traverse."

**Examiner Responds:**

Examiner is not persuaded. Applicant discusses the meaning of analyze and then points to the teaching of Chakrabarti. Applicant is required to provide support in the specification of

Art Unit: 2161

the present application such that one of ordinary skill in the art is able to make and use the invention without having to point to prior art cited by the examiner.

**Applicant Argues:**

Applicant states in the last paragraph on page 18 “The patent examiner rejected Claim 19, stating the phrase wherein the filtering input comprises at least one of limiting searches to a selected element of the taxonomy, limiting searches to a plurality of selected elements of the taxonomy, limiting searches to all elements of the taxonomy, limiting searches based on fields present for an authority table element, and limiting searches based on fields present for a summary table element is unclear. Applicants respectfully traverse.”

**Examiner Responds:**

Examiner is not persuaded. Applicant discusses the meaning of filtering, keywords which produce a search result, threshold values, and then makes the general statement “As is apparent from the scope of the figures, the discussion in the specification, and the general tableau before one of ordinary skill in these arts in 2001, one or more forms, pop-ups and the like may be used to accept user input.” The relevance of applicant’s reasoning to the above claim limitation is difficult to ascertain.

**Applicant Argues:**

Applicant states in the fifth paragraph on page 21 “First, Charabarti [Chakrabarti] does not disclose an authority table comprising ‘raw’ data.”

**Examiner Responds:**

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., an

Art Unit: 2161

authority table comprising raw data) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Applicant Argues:**

Applicant states in the fifth paragraph on page 21 “As used in the present inventions, authority is understood to mean any source of information and may comprise at least one of text data, graphics data, audio data, video data, and the like or combinations thereof.”

**Examiner Responds:**

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., authority is understood to mean any source of information and may comprise at least one of text data, graphics data, audio data, video data, and the like or combinations thereof) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Applicant Argues:**

Applicant states in the second paragraph on page 22 “In the present claimed inventions, each element (a summary) in a user summary table must be linked to at least one element (category) in a user taxonomy table as well as to a single (authority) in the authority table.”

**Examiner Responds:**

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant

Art Unit: 2161

relies (i.e., each element (a summary) in a user summary table must be linked to at least one element (category) in a user taxonomy table as well as to a single (authority) in the authority table) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Applicant Argues:**

Applicant states in the first paragraph on page 23 “In the present inventions, the user creates the data in the taxonomy table and classifies the authorities and their summaries.”

**Examiner Responds:**

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the user creates the data in the taxonomy table and classifies the authorities and their summaries) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Applicant Argues:**

Applicant argues in the second paragraph of page 23 “Chakrabarti fails to disclose any software that allows a user to manipulate the tables, especially that taxonomy table or the summary table.”

**Examiner Responds:**

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant

Art Unit: 2161

relies (i.e., software that allows a user to manipulate the tables, especially that taxonomy table or the summary table) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Applicant Argues:**

Applicant argues in the fifth paragraph of page 24 “However, rather than completely finish taxonomy traversal before classifying another document, the present invention processes entire taxonomy nodes at a time with plural documents. This query is the result of software and most definitely not a user submitting a query via the Internet.”

**Examiner Responds:**

Examiner is not persuaded. Examiner notes claim 10 recites “wherein a user is allowed to submit a query to the query software via the Internet.” Examiner maintains above argument by applicant is not relevant to claim 10.

**Applicant Argues:**

Applicant states in the third paragraph of page 25 “As a preliminary matter, Applicants respectfully state they have jointly and commonly owned the inventions claimed herein since at least the application date.”

**Examiner Responds:**

Examiner is not persuaded. There is no record of the assignee of the present invention.

**Applicant Argues:**

Applicant states in the second paragraph of page 26 “With respect to claim 2, Chakrabarti does not disclose that which is claimed in Claim 1.

Art Unit: 2161

**Examiner Responds:**

Applicant is referred to above response by examiner.

**Applicant Argues:**

Applicant states in the second paragraph of page 26 "There is no motivation, suggestion, or teaching that would even hint at combining these references. Chakrabarti is looking to help aid high-dimensional searching in multimedia databases that contain txt documents, audio and video. Price is directed towards avoidance of duplication of information across a call control table as well as portability of tables. Chakrabarti is in the field of document access control. Price is in the field of telephony. Applicants respectfully submit there is no motivation, suggestion or teaching of the desirability of making this specific combination suggested by the patent examiner."

**Examiner Responds:**

Examiner is not persuaded. Examiner reproduces below the rejection included in supra Office Action. The reason for combination of the references is clearly stated.

Claim 2:

Chakrabarti discloses the elements of claim 1 as noted above.

Chakrabarti fails to disclose wherein manipulation of the taxonomy table comprises creating, modifying, associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table. Price discloses associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table [claim 1]. It would have been obvious to one of ordinary skill in the art

Art Unit: 2161

at the time the invention was made to modify Chakrabarti to include associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table as taught by Price for the purpose of providing a call control table for storing call control information for a specific call type being separated into different categories [claim 1]. The ordinarily skilled artisan would have been motivated to improve the invention of Chakrabarti per the above such that the call control table provides a means of routing calls between nodes in a switched digital network [claim 1].

Furthermore, in response to applicant's argument that Price is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Chakrabarti discloses in column 2, lines 13-25 the following:

In accordance with the present invention, the computer includes a data storage device including a computer usable medium having computer readable code means for document classification. The code means include computer readable code means for establishing plural data tables, with the data tables including a taxonomy table containing data related to a classification taxonomy. Also, one of the tables contains data representing statistics related to occurrences of terms in nodes of the taxonomy. Computer readable code means receive documents, and computer readable code means are provided for classifying the documents with respect to the taxonomy by undertaking at least one table join using the plural data tables and the document, such that data access is optimized.

Furthermore, Price in claim 1 discloses the following:

1. A method of routing calls between or within nodes (10, 20) in a switched digital network, comprising the steps of: establishing a call control table (300) for storing call control information for specific call types, said call control information for a specific call type being separated into different categories of information, the information of the different categories being stored as separate table entries (340, 360, 380) in separate parts of said call control table; in response to a request from one of said nodes (10, 20) for a call of a specific type to be made, examining said call control table (300) for call control information for said call type; and using the call control information stored for said call type to route the call, wherein the call control table is adapted for associating an element of a first category of call control information, which is stored as a single table entry in a first part of the call control table, with multiple table entries for one of the other call control information categories stored in a different part of the call

Art Unit: 2161

control table, such that said single table entry simultaneously forms part of the stored call control information for a plurality of different call types.

One of ordinary skill in the art would be qualified to understand and interpret the teaching of Price relating to a database table and would have been able to incorporate features the Price reference into the disclosure of Chakrabarti. Still further, both the Chakrabarti and Price references are assigned to International Business Machines and thus are in the same field of endeavor as related to optimizing access to a relational database.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### *Contact Information*

Art Unit: 2161

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 AM to 4:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (571) 273-8300.

Etienne LeRoux

9/21/2005

  
**MOHAMMAD ALI**  
**PRIMARY EXAMINER**